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To Whom it may Concern:

We do not want HWY 35 closed to commercial truck traffic, because it would directly affect timber hauling and equipment transportation, thus costing us inordinate fees and fuel expenses. This could prevent or stop any forest health or urban fire prevention or restoration operations from occurring in this area.

The idea may be understandable, but the consequences could be grave.

Sincerely,

Sirs Tim Lynch

As I am not home during the week  
I didn't get to know about this July 7<sup>th</sup>  
thing until today 7/3/08

I have drove trucks on Hwy 35 for  
years. Since the early 70's.

I have never had a problem with  
another truck. I get passed a lot  
by cars-pickups. the folks (not all)  
that live ~~at~~ there like to pull right  
out in front of me, or come to a  
stop ~~th~~ and then make a right turn.  
But like Ron White says "you can't  
fix stupid."

I pay a lot of taxes, GVW, heavy  
use tax, insurance. Plus all the tax  
on the fuel I use.

I license my truck to drive on  
the hiways and byways of this state  
so I think I have the right to  
drive on this road.

I have not seen or heard of how  
many SAFE miles us trucks run  
on Hwy 35. I'll bet it's Big

A proud  
owner, or

89

Don't Close this Road to U.S.



Mr. Jim Lynch;

I would like to add my comments to the concerns with truck traffic on Hwy. 35. I do not want trucks of any size or category to be denied use of this highway. As a co-owner of a trucking company based in Columbia Falls, the use of Hwy. 35 is vital to our business. We have used this highway for years and I do not see any factual or logical reasons to ban truck traffic. We use speed radars to monitor our trucks on all the highways we use. Our data on Hwy. does not support the comments made by numerous people that all trucks speed excessively on that road. Our data actually shows that our trucks average a speed of 51 mph. What we have discovered is that the fastest vehicles on Hwy. 35 are actually passenger cars and pick ups. Enforcement of the current speed limit would reduce all traffic to the legal posted speed. Hwy. 35 is posted at 50 mph. This means that trucks and cars all travel the same speed. If a semi is going 50 miles an hour, then there is no reason for him to be passed. This is not the case as we have monitored it. Our trucks are constantly passed by cars and pick ups exceeding the posted speed limit. Hwy. 93 has one speed limit for trucks and another speed limit for cars. This dual speed limit sets up the potential for accidents. Denying trucks the use of Hwy. 35 will over them over to Hwy. 93. Those trucks would then have to go thru downtown Polson, Lakeside and Kalispell as well as the many communities on Hwy. 93. This would only increase the potential for accidents considering the vehicle traffic in those communities as well as the pedestrian traffic in those communities. Hwy. 93 is a longer route which would add time to the runs we make and force us to use more fuel. This is not only expensive; it contributes more carbon to the atmosphere. By taking longer to do the runs, we would not be able to "double trip" to Missoula and we would have to actually run more trucks to make up for that loss. This would also impact the income our drivers make. Hwy. 93 also has more steep hills to go over. In the winter our trucks are running before the State has a chance to plow and sand the road. We have had numerous trucks "spin out" in the past on those hills and have blocked the highway to all traffic many times while getting them going again, more potential for accidents. There are reasons why we use Hwy. 35 over Hwy. 93. This is based upon years of driving on both highways.

Any decision to deny the use of Hwy. 35 to trucks must be made based upon facts, not hearsay, opinions or the threats of litigation. Nor should that decision be made on a "not in my backyard" attitude, which is exactly what this is all about. Is Flathead Lake any less valuable on the west side? Are the homes on the west side and less important than those on the east side? I think not in either case.

Education, awareness and enforcement are the solutions to this issue. Educate people on what dangers are on Hwy. 35, make them aware of the trucks and how to drive around them and finally enforce the traffic laws. If one of my drivers is ticketed for speeding on Hwy. 35, I would applaud the office who did this for he is keeping the highway safe for everyone; not just those folks who live on the East lake shore and feel they should have the right to ban those vehicles they the don't want to share the road with.



RE: MT HWY 35

Dear Sirs:

First I would again like to thank you and your staff for the information that was provided at the public hearings in Polson and Somers and for taking the time to try and inform Montana residents as to the use of this highway.

The [REDACTED] represents over 450 trucking companies and transportation related businesses in the state of Montana. The majority of our members are small family owned trucking companies that are headquartered in Montana and depend on an efficient transportation system to make a living. We would like to take this opportunity to again let the department know that we would be opposed to any additional restrictions to commercial motor vehicles on this route.

While we appreciate the comments of the residents of the East Shore those same comments can be heard in numerous areas of Montana. All of Montana citizens benefit from the products that are delivered by truck and we all share in the responsibility to see that they are delivered in a most efficient manner. Restricting commercial traffic on this road will simply move more of that responsibility to citizens in other areas. Our concern is that if we limit commercial traffic in this area, what is next.

Two or three years ago when construction on HWY 191 moved trucks to other routes, I received a number of phone calls wanting to know what could be done about the truck traffic in Ennis. Simply put they said why can't they go through Sheridan-my answer was do you think the people in Sheridan want that. I will again expect a number of those calls as HWY 191 is again under commercial motor vehicle restrictions.

I also hear the argument about Flathead Lake being pristine and pure, what about the St. Regis River, where there is at least an accident a month that could involve a serious hazardous material spill and the busiest road in Montana is just yards away from its bank, we do not hear people in that area clamoring to restrict commercial traffic.

In a time when a majority of Montanan's are looking for ways to conserve our precious resources and reduce our carbon footprint we would be asking the trucking community to use more fuel and increase pollution on the West Shore of Flathead Lake. Restricting certain combinations, or all commercial traffic will result in that traffic being moved to another road. In many cases it won't be just the trucks currently using the road but additional trucks will be necessary to haul the same goods in the time allotted for truckers to drive. When a route cannot be completed in same time and a driver runs out of hours it will require more trucks to do the work of those that have been restricted.

The real solution to this problem is cooperation and not confrontation. The trucking community has worked hard over the years to improve our image and safety on Montana's roadways and will continue to do so. We have in the past, and will continue to remind our members as well as others in the trucking community, that we are professionals and should act like professionals. We have asked members to remind those who are not driving in a safe and courteous manner that they reflect on all of us.

Fact is Montana, especially Western Montana, is growing faster than we can keep up with the infrastructure. In the next 20 years it is estimated that freight movement will increase well over 30%, but new roads will only increase by less than 2%. In order to accommodate this increased freight we will need to have the most efficient and productive routes possible to keep truck traffic at a minimum.

Restricting commercial traffic is not the answer, we should be looking at improving the existing road where possible and look at the long term use and productivity of the area. Local governments should also be a part of this partnership as they approve subdivisions without good data on traffic flows. We would also suggest that sign should be erected at both ends of HWY 35 reminding travelers that this is a narrow road with numerous entrances and exits and that extreme caution should be used. Last but not least we would suggest the MDT run their "Operation Safe Driver" program on this road and find out who the real culprits are on this stretch of highway. We have asked our members to observe the posted speed limits, limit the use of engine brakes, maintain following distances and to not engage in "road rage" with the residents of this area.

The concerns of the East Shore residents seem to focus on road design and enforcement issues. Any future projects should focus on making this stretch of road safer commercial motor vehicles, cars, bicyclists and pedestrians. Focusing solely on the trucking community alone will not work

Respectfully submitted



Sirs:

The [REDACTED] appreciates this opportunity to advise you that our organization is adamantly opposed to any further commercial vehicle restrictions on Montana Highway 35 between Bigfork and Polson.

The [REDACTED] consists of nearly 600 independent logging contractors in Montana. Our members consist of the family-owned businesses that harvest and transport the vast majority of timber from forest to mill in our great state. As such, we are dependent upon Montana's primary and secondary highway system to ply our trade and, thereby, provide for the needs of our families.

We appreciate all of the concerns expressed by the residents along Hwy 35; however, any restrictions upon commercial truck traffic on the east shore of Flathead Lake will merely shift those same concerns to folks living in Polson and along the west shore of Flathead Lake.

As emotional as this issue is—especially for the residents along Flathead Lake's east shore—this initiative is a classic case of “not-in-my-back-yard”... and should the Montana Department of Transportation (MDT) surrender to such an initiative you will likely open a ‘can of worms’ that will plague your department well into the future.

The hazardous fuel spill that led to this latest call for a ban on commercial truck traffic along the east shore of Flathead Lake was, indeed, unfortunate; however, that accident appears to be an incident of inattentive driving... and any effort to paint all commercial vehicle operators as irresponsible is both incorrect and insulting.

Further adding to our opposition to restricting truck traffic on the east shore of Flathead Lake is MDT's own analysis of the time and expense that additional trucks on the west shore route will incur. All of us are aware of skyrocketing fuel costs and corresponding initiatives to conserve fuel wherever possible. That being the case, MDT would be acting irresponsibly if they were to knowingly require commercial truck traffic to use a route that is fuel-inefficient.

To reiterate, at a time when national leaders are calling for all of us to minimize our “carbon foot print,” restricting commercial truck traffic to the west shore route would be environmentally irresponsible.

Looking forward, Montana—and especially the Flathead Valley—will continue to experience an influx of people and businesses wanting to relocate... and that will put increasing pressure upon our highways. To accommodate this growth, we will need all of our highways to function as efficiently as possible. Placing restrictions on any highways at this time will not serve the people of Montana well.

The [REDACTED] respectfully suggests that solutions to the concerns expressed by east shore residents appear to center on enforcement and road design. Commercial and passenger vehicles both need to obey existing laws... and future road projects along the east shore need to focus on ways to make that section of Highway 35 safer for trucks, cars, bicyclists and pedestrians alike. Focusing attention on commercial truck traffic alone is misguided.

Thank you for your consideration of our concerns.

~~Respectfully submitted.~~ C

July 1, 2008

Dear Jim:

RE: Highway 35 Commercial Trucking Comment

[REDACTED] submits the following comments on the proposal to eliminate commercial trucking on Highway 35 around the East shore of Flathead Lake.

As a small, family-owned forest products company in the rural community of Seeley Lake with no land base, we are totally dependent upon all forest landowners for our logs and standing timber. Currently, we are receiving significant log truck deliveries from tribal and private sources, which are traveling Highway 35 as their primary route of haul. Also, we have a U.S. Forest Service timber sale named East Shore Fuels Stewardship with approximately 500 log truck loads yet to harvest which is directly accessed from Highway 35. Any action or decision which restricts our raw material supply would cause significant financial and business impacts.

[REDACTED] strongly opposes any such action and encourages the Department to review options to upgrade Highway 35 as a more effective approach to safety issues. Encouraging businesses to increase their haul distance with current and anticipated fuel prices does not support Montana's business climate. Thank you for the opportunity to comment and should you have any questions please contact me at your convenience.

Sincerely,



June 24, 2008

Mr. Dwane Kailey  
Missoula District Administrator  
Montana Department of Transportation  
P.O. Box 7039  
Missoula, MT 59807-7039

Re: Montana Highway 35 Safety Comments

Dear Mr. Kailey:

My name is [REDACTED] work for [REDACTED]. I was in attendance at the public safety meeting that your department conducted on June 5<sup>th</sup> at Polson. I would like to submit to the department some comments and respond to some of those that were made at the Polson meeting.

If I was not a frequent traveler of MT 35 and had to base my knowledge of the highway on letters written to newspapers and comments voiced at the meetings, I would think it was not much more than a narrow, poorly maintained, winding strip of pavement engineered for Model As and dominated by monstrous speeding and ear-splitting trucks that can't stay in their own lane. We all know that those are exaggerations but that is the picture that some would apparently like to portray.

The repeated theme in comments about speeding trucks and the numerical guesses that were attributed as fact really bothered me. How can anyone make such claims and prove it without a device like radar? We certainly expect no less from the law enforcement officers who monitor speed, so how can people who make such claims by merely guessing, expect to be credible? I cannot speak for all truckers, but some of these claimed speeds would be impossible for Hanson trucks to obtain simply because of gearing and engine RPM limitations. I would guess that the majority of trucks on the highways are set up the same. Our trucks are designed to be "workhorses" and geared for hauling heavy loads at engine and drive train speeds relatively slower than passenger cars and pickups. They are not designed to be "racehorses." Yes, there are trucks speeding on MT 35 but not as many as there are cars and not as fast either. Considering that the top legal speed between the south shore corner near Polson and Bigfork is 50 mph and considerably less than most other highways in the state, that is really not too surprising.

[REDACTED] has two radar units to monitor the speeds of our trucks. One of those units is in my company vehicle and I use it constantly, whether I am out specifically to observe our trucks or do so while attending to other business. The radar is on and working all the time I am on the road. I do not turn it on just when I am observing Hanson trucks, so I already had a fair idea of what types of vehicles are doing most of the speeding on all highways, not just MT 35. To determine if this perception by me (and others in the company) through experience, of passenger vehicles being the predominant speeders on MT 35 is valid, we recently did speed

studies on three different dates. The speed studies were done under the following parameters to try to ensure fairness in the data:

- Every type of motor vehicle was radared for speed in all instances that getting separate and distinct readings were possible.
- All speed checks were monitored only in the 50 mph zones to help ensure that “through” traffic was being monitored and not affected by slower urban/local traffic and traffic control devices in the more densely populated areas.
- The majority of the speed checks were taken from a stationary spot just south of mile marker 13 which is a flat area with mild curves and away from any inclines that might affect speed. There are no nearby homes or intersections in this area to affect traffic. Anyone with a tendency to speed would have nothing to deter them from doing so in this area. Both northbound and southbound traffic was monitored from this spot. Southbound traffic was monitored by the patrol mode while traveling north in the radar unit to the spot near mile marker 13 from the south and conversely, northbound traffic was monitored by the patrol method when traveling from the stationary spot, heading back south.

Speed checks were done on Tuesday, May 28<sup>th</sup> between 6:25 a.m. and 10:11 a.m.; on Friday, May 30<sup>th</sup> between 6:23 a.m. and 9:40 a.m.; and on Wednesday, June 4<sup>th</sup> between 10:45 a.m. and 2:22 p.m. In those total 9 hours and 49 minutes, 944 separate and distinct radar readings were recorded with the following results:

Vehicle Types Observed	Total Readings Observed	Average Vehicle Type per Hour	Average Speed in Miles per Hour	Average Speed Above 50 Miles per Hour	Percentage of All Traffic by Vehicle Type
Passenger cars	480	48.20	54.06	4.05	50.84%
Pickup Trucks	258	23.50	53.22	3.22	27.33%
Motorcycles	3	0.27	54.50	4.50	0.32%
School Buses	6	0.63	50.83	0.83	0.64%
Straight Trucks	26	3.80	53.57	3.57	2.75%
Semi-Trailer Trucks	115	11.77	52.38	2.38	12.18%
Double Trailer Trucks	56	5.62	51.22	1.22	5.93%

Not everything was as black and white as this table would indicate and I had to do a little improvising along the way as follows:

- Motorhomes - I did not anticipate these and was not sure how to classify them as they are built like buses, as big as straight trucks, but are not commercial



motor vehicles. Since only three were observed, I decided not to list them at all. Of those three, two were well below the speed limit and the one that was pulling a trailer was well above it.

- Pickup Trucks - several of these vehicles were pulling boat trailers, camper trailers, and utility trailers. I just included them with the rest of the pickups.

By my table, the type of vehicle that had the highest average speed was motorcycles at 54.50 mph. As with motorhomes, there were only three observed so there was not a lot of data and it is possibly inconsequential.

Passenger cars accounted for just over half of all vehicles observed at 50.84% and they had the next highest average speed at 54.06 mph. They accounted for the fastest individual speeds recorded as well at 72 and 71 mph.

Straight trucks were the third fastest vehicle group at 53.57 mph. Straight trucks were those commercial vehicles that were single units with no trailers. These included large delivery vans, propane tank trucks, empty logging trucks with their trailers piggy-backed and not being pulled, and in particular - dump trucks. Though they were the fastest group of trucks, they only accounted for 2.75% of all vehicles observed.

Trucks with semi trailers were the fourth fastest group with an average speed of 52.38 mph. They were the largest group of the large trucks observed but even at that, only made up 12.18% of the total vehicles on the road. I counted both loaded and empty logging trucks with their trailers down and being pulled in this group.

Pickup trucks were the fifth fastest group of vehicles with an average speed of 53.22 mph. They were also the second largest group observed behind passenger cars at 27.33%. Some of these vehicles were obviously business and law enforcement vehicles but the majority appeared to be private vehicles used the same as passenger cars.

Trucks pulling two trailers were the slowest of the large truck groups at 51.22 mph average and the only vehicle group with a slower average speed was school buses. They only made up 5.93% of the total vehicles as well. It would seem from these figures that the amount of criticism leveled at them in the press and the public meetings is very disproportionate to reality. It was very much appreciated that Mr. Lynch brought up the fact in the Polson meeting that this group of trucks has the lowest percentage of accidents of all types of trucks. Those in the industry and the regulatory people know that but the general public does not.

So, some very general and seemingly valid conclusions that could be made from this data are as follows:

- All vehicle groups had an average speed higher than the posted speed limit of 50 mph.
- Cars and pickup trucks used as passenger vehicles make up 78% of the vehicles on MT 35 and their average speeds above the posted speed limit are 4.05 mph and 3.22 mph respectively.



- Trucks pulling semi and double trailers are getting most of the criticism but together they only make up 18% of the total vehicles on MT 35 and their average speeds above the posted speed limit are 2.38 mph and 1.22 mph respectively.
- The average speed over the limit for passenger cars and pickups combined is 3.635 mph. The average speed over the limit for trucks pulling semi trailer and double trailers combined is 1.8 mph.
- Passenger cars and pickups combined exceed the speed limit by an average of twice as high average speed over the limit as trucks pulling semi and double trailers combined.
- Simply put, private vehicles drive faster on MT 35 than do large trucks pulling trailers and there are over four times as many private vehicles on MT 35 than there are large trucks pulling trailers.

It might be true that this study was not all encompassing in that it was about ten hours of observation during day time hours and maybe a longer study would be more confirmative. However in looking over the crash rates on MT 35 provided by your department that show much higher rates for other vehicles over trucks, the data looks reasonable. Mr. Lynch stated that it was in the plans to do a speed study on MT 35. That would be very welcome as I just have to believe that the results would not be too much different than what we have found.

The table presented in this letter only displays the combined data for the three observation sessions. Enclosed is a spreadsheet that shows a breakdown of data for each session plus the combined data.

I would also like to comment on some remarks that were made at the Polson meeting. Responding to complaints about truck engine brakes, [REDACTED] told the group that if the people who witness this could identify the truck, particularly by unit identification number and call him, something could probably be done to take care of the problem. He was very open about how to recognize vehicles and how to contact him. The response was that some people obviously could not be bothered with that (and would rather just complain). Other responses were that if a company started their trucks in their yard, they should know which had mufflers and which did not and that the identification numbers should be on the back of the truck instead of the front. [REDACTED] I can state that all of the trucks have mufflers and they all do have large, easily read identification numbers on the tractor unit and also on the back of each trailer. Something these people do not realize is that we occasionally get calls of complaints about our trucks or drivers and investigate only to find out that the truck they thought was ours was not. While frustrating to us, this is not always a bad thing as we know many people in these other companies well enough that we are comfortable enough to pass the complaint on. Most companies do want to know if they have a problem driver on the road and while it is troublesome to hear, at least they know and have an opportunity to respond or take care of the problem.



Another comment that was seemingly pulled out of the air was that the centerline was worn off on all the curves on MT 35 due to trucks driving across it. I have been up and down that roadway four times since the Polson meeting and saw no evidence of this at all except in Woods Bay on the steep grade. As this is a 35 mph zone and knowing the problem that hill can be in the winter, I would think the degradation of the painted centerline had to do a lot more with the sanding and plowing during the winter than any possible crossing of the centerline by any vehicles.

Another comment drew attention to the slide picture of the beginning of the department's presentation. That picture shows the view as coming off Fish Hatchery Hill, northbound onto the roadway along Blue Bay. The comment was that the fog line was painted on dirt at that point. Again in my trips since then, that is not true. Sure there is no shoulder there to speak of, but the line is painted on pavement, not dirt.

More than one person commented that they felt US 93 was a safer highway than MT 35 because of wider shoulders. True, wider shoulders are nice in case you need to pull over or maneuver in case of something in the roadway but does that make MT 35 any less safe? Is not the point to drive safely within those painted lines? I drove mainly semis but also some [REDACTED] almost every day on MT 35 back in the mid to late 1970s. I never found it a problem to stay in my own lane of travel and inside the lines - day, night, winter, or summer. Back then there was a lot more driving on snow packed roads than there is these days. There would be days and even weeks at a time that you could not even see those lines. A safe driver adjusts to those types of conditions and drives accordingly, no matter what highway he/she is on. I had almost completed my 38<sup>th</sup> year of employment with [REDACTED] when the company's assets were purchased by [REDACTED] Inc. and now have almost two years with them. In all these years, I have either worked with or supervised hundreds of commercial drivers who ran MT 35 regularly and never have I heard a single one say that he/she felt that MT 35 was unsafe to drive. I think that these folks who say they feel tense and unsafe when they drive their cars and pickups on MT 35 may have a problem all right, but it is with themselves and their abilities rather than the highway itself.

Some, or maybe all, of the east shore residents believe they have something special by being able to live where they do. They are right to think that. Flathead Lake is very special. But that does not mean they are the only people who feel that way or who want to protect the area. That area belongs to all of us in this state. The owners of [REDACTED] have had three homes on lakefront property on the east shore for decades. They also have had chip trucks running up and down the east shore since 1957 until the sale in 2006. There certainly was no conflict of interest there. The [REDACTED] family has lived their whole lives in the Flathead Valley. They know and appreciate how special the area is. Flathead Lake is a major recreation opportunity for and used by everyone, truckers included. No one wants to see fuel spill into the lake, including me. However, along with lake shore resident and non-residents alike, I have burned more than my share of fuel in boats while on that lake.



I do believe that many of the people who are concerned about trucks on MT 35 are sincere in their beliefs and I think some of them made valid points. I am not sure that they all have their beliefs based in fact though. Some try to fault the engineering of the highway but I did not hear anyone (outside of your department) at the meeting say they were actual engineers. The best one guy could do was to keep mentioning the construction union he had belonged to in the past. I think some people who have never been inside the cab of a truck try to envision what it would be like for them to drive one and form some sort of opinion by that. Some were just there with a dislike for trucks and/or a not-in-my-backyard attitude. They were obvious by their not-so-factual and even sarcastic comments and their cheering of similar remarks by others.

It was somewhat encouraging to see that some people did have an appearance of appreciation and cooperation with the trucking community. However I got that realization more from mingling and talking to people after the meeting than from comments made during the meeting. Another revelation in talking to people after the meeting really underscored the point of it all to me. Dave Morrison asked a group of east shore residents in the hallway, if the fuel spill accident had occurred on the west shore and within 150 yards of the lakeshore and the west shore residents had the same such meeting, how many of them would be in attendance. Not one of them had an answer. NIMBY - not in my backyard!

There is no denying or arguing that the fuel spill accident was a tragedy and particularly to those families whose homes were affected. Years ago my family and I and our whole community were displaced from our homes for several days because of the train derailment and chlorine spill near Alberton. That was very inconvenient so I can only guess how bad it is to be moved out of your home for as long as these affected people will be. But it has to be remembered that this was an accident and not an intentional act. I am not arguing that as an accident that it could not have been a negligent act and that someone could or should not be liable. The point is that this could happen anywhere, east shore, west shore, Flathead River, Blackfoot River, Georgetown Lake, Lake McDonald, etc. Where in this state are there not pristine waterways and lakes converging with highways and railroads? Historically, trails that later became highways or rail beds in Montana followed the paths or least resistance to travel through the mountains, just like the streams and rivers which naturally did the same.

By the above statements, I am not saying that accidents are acceptable. They certainly are not. They are a cancer to safety and transportation and need to be avoided and prevented at all times. However the east shore group is basing their arguments on the premise that there will be more accidents. If they believed otherwise then there would be no problem to anticipate. Unless of course, they just simply don't want trucks on their side of the lake - NIMBY.

Transportation is a necessary and honorable industry that we all depend upon, besides being a major employer in this state. If we are all to share the benefits of the industry then we should all likewise share the risks. Though those folks on the east shore feel they have special and compelling needs to ban truck traffic in their backyard, I believe that they really are no different than anyone else living in their



"special" areas of the state. I do appreciate their concerns as I consider my backyard "special" too. It is within 50 feet of a pristine year-round creek, within 190 yards of the Clark Fork River, but also within 70 yards of a main line railroad track, within 70 yards of a roadway connecting I-90 with US 12 (used as a shortcut going to Lolo Pass), and within 370 yards of I-90. I have to wonder how these same folks would feel about the potential threats in my backyard. I knew what the situation was when I moved there, just like those folks on the east lake shore did when they chose to live there.

As passionate about their cause as they may be, I believe that the east shore group has no defensible right to add to the risk, as they see it, of their neighbors on the west shore. It also puts the truckers at more risk due to the increased exposure to potential accident by having to go through the more populated areas of Polson, Big Arm, Elmo, Dayton, Rollins, Lakeside, Somers, and Kalispell.

Aside from additional potential accident exposure, substantial increases in cost and unreasonable restraints to efficiency would be imposed on trucking companies.

[REDACTED] estimates that due to increased fuel costs, wages, and maintenance, it could increase our costs about \$250,000.00 per year to have to run the west shore. It could also lead to having to use even more trucks to do the same job. Under the current hours of service rules, some runs are easily and legally run within the rules. The added time and mileage by having to run the west shore would not make some multiple runs impossible to complete by one driver. So to accommodate the needs of our customers, another truck and driver would have to be dispatched. This would be a costly and major hindrance to efficiency. Somehow those additional costs would have to be accounted for and most likely by passing them on to the consumer, which no one wants to see.

I did not intend this letter to be so lengthy. I realize that I am mainly presenting my radar findings and my rebuttals to comments by others without presenting any ideas for solutions. I just don't see a complete or partial ban of trucks as a solution. I think safety is the issue and the solution. Perhaps increased educational efforts toward drivers and increased patrols and enforcement on MT 35 would be a good start. Anyway, that is the view from my side of the windshield.

I do appreciate this opportunity to express my comments and wish to thank you for your consideration. Please feel free to contact me if you have any questions or concerns.

Thank you very much.

Sincerely, /

[REDACTED]



**RADAR SPEED OBSERVATIONS OF ALL VEHICLES ON MONTANA HIGHWAY 35  
50 MILES PER HOUR SPEED ZONES ONLY**

**Tuesday, May 28, 2008 - 3 hours and 46 minutes actual between 6:25 - 10:11 a.m.**

<u>Vehicle Types Observed</u>	<u>Total Readings Observed</u>	<u>Average Vehicle Type per hour</u>	<u>Average Speed in mph</u>	<u>Average Speed Over Limit</u>	<u>Percentage of All Traffic</u>
Passenger Cars	175	46.42	53.93	3.93	51.78%
Pickup Trucks	92	24.40	54.11	4.11	27.22%
Motorcycles	2	0.53	56.00	6.00	0.59%
School Buses	3	0.80	50.00	0.00	0.89%
Straight Trucks	11	2.92	51.73	1.73	3.25%
Semi-Trucks	35	9.28	52.37	2.37	10.36%
Double Trailer Trucks	20	5.31	50.50	0.50	5.92%
Total	338				

**Friday, May 30, 2008 - 2 hours and 26 minutes actual between 6:23 - 9:40 a.m.**

<u>Vehicle Types Observed</u>	<u>Total Readings Observed</u>	<u>Average Vehicle Type per hour</u>	<u>Average Speed in mph</u>	<u>Average Speed Over Limit</u>	<u>Percentage of All Traffic</u>
Passenger Cars	103	42.39	54.12	4.12	44.20%
Pickup Trucks	83	34.16	52.37	2.37	37.22%
Motorcycles	0	0.00			
School Buses	2	0.82	48.50	-1.50	0.89%
Straight Trucks	4	1.65	55.25	5.25	1.71%
Semi-Trucks	29	11.93	52.86	2.86	12.29%
Double Trailer Trucks	12	4.94	51.42	1.42	5.12%
Total	233				

**Wednesday, June 4, 2008 - 3 hours and 37 minutes actual between 10:45 a.m. - 2:22 p.m.**

<u>Vehicle Types Observed</u>	<u>Total Readings Observed</u>	<u>Average Vehicle Type per hour</u>	<u>Average Speed in mph</u>	<u>Average Speed Over Limit</u>	<u>Percentage of All Traffic</u>
Passenger Cars	202	55.80	54.13	4.13	54.16%
Pickup Trucks	83	22.93	53.17	3.17	22.26%
Motorcycles	1	0.28	53.00	3.00	0.27%
School Buses	1	0.28	54.00	4.00	0.27%
Straight Trucks	11	3.04	53.09	3.09	2.94%
Semi-Trucks	51	14.09	51.92	1.92	13.67%
Double Trailer Trucks	24	6.63	51.75	1.75	6.43%
Total	373				

**Overall Comparison of All Observations**

<u>Vehicle Types Observed</u>	<u>Total Readings Observed</u>	<u>Average Vehicle Type per hour</u>	<u>Average Speed in mph</u>	<u>Average Speed Over Limit</u>	<u>Percentage of All Traffic</u>
Passenger Cars	480	48.20	54.06	4.06	50.84%
Pickup Trucks	258	23.50	53.22	3.33	27.33%
Motorcycles	3	0.27	54.50	4.50	0.32%
School Buses	6	0.63	50.83	0.83	0.64%
Straight Trucks	26	3.80	53.57	3.57	2.75%
Semi-Trucks	115	11.77	52.38	2.38	12.18%
Double Trailer Trucks	56	5.62	51.22	1.22	5.93%
Total	944				





# Comment form

2008 JUL -1 AM 10:07

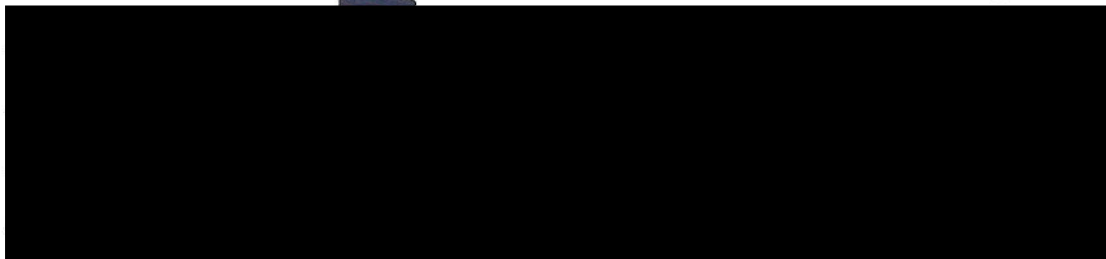
Safety Public Meetings  
Meeting date and time: June 4, 2008; 6:30 - 9:00 pm  
Location: BW White Oak Grand Hotel, Kalispell, MT

MISSOULA

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at

**[www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml)**.

Please indicate your name, address and affiliation (if any) below.  
Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.



Comments: The water quality at Flathead Lake should continue to be one of the primary concerns. Because of that, trucks carrying Hazardous material that could pollute the water should be routed to the west side. This is based on the amount of Hwy 35 that is very close to the water as compared to Hwy 93. Those needed for local deliveries however are still needed and OK on Hwy 35.

From a [redacted] standpoint, approx. 300,000 lbs a year is trucked into Finley Pt, by various truck + truck + trailers. The fruit leaves Finley headed for Washington on refrigerated semis. Truck transportation of this important agriculture crop needs to continue, we really have no other options.



June 29, 2008

Mr. Dwane Kailey  
District Administrator  
Montana Dept. of Transportation  
P.O. Box 7039  
Missoula, MT 59807-7039

Re: Semi-Truck Traffic on Highway 35

Dear Mr. Kailey:

I am writing to provide public comment on the recent fuel spill accident on Highway 35 in Lake County along Flathead Lake.

I own a summer home on [REDACTED] marker on Highway 35, not too far from the site of the recent accident.

Over the years, I have observed numerous large trucks pulling "pup" trailers that were driving along on Highway 35 and exceeding the 50 mph speed limit. Frankly, I am surprised it took this long to have any unfortunate accident involving a pup unit tipping over in the ditch along the narrow road.

Certainly there needs to be some truck traffic on Highway 35 for deliveries, etc., but given the heavy residential access along Highway 35 and the narrow road and shoulders along the highway, it would seem that large double load semi-trucks, which really belong on an interstate freeway should be restricted to Highway 93 which is better engineered for that kind of truck traffic and has a higher speed limit.

I would like to add my name to homeowners near and along Highway 35 that are opposed to large semi trucks pulling pup units on Highway 35.

Thank you for your consideration.

Sincerely,

[REDACTED]



June 29, 2008

Mr. Dwane Kailey, District Administrator  
Montana Department of Transportation  
P. O. Box 7039  
Missoula, MT 59807 -7039

Dear Mr. Kailey:

**Re: Truck (with trailer) traffic on State Highway 35**

The recent fuel truck accident near Finley Point again highlights the inappropriate use of Highway 35 by large trucks, particularly trucks with pup-trucks or trailers. Your records will show that serious accidents involving fuel trucks have occurred on Highway 35 along the east shore of Flathead Lake.

Highway 35 was constructed long before the heavy use by large trucks was common. It is a narrow paved highway often with very small shoulders. It is a highway often with residences relatively close to the highway on both sides. It is a highway with steep embankments in some locations. There are few safe places to pass along the east side of the lake, and probably none for large trucks with trailers. Highway 35 runs close to the Lake in many places.

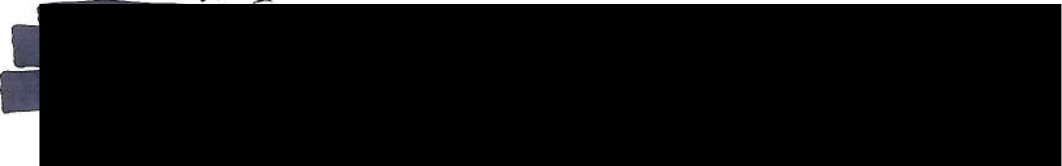
The foregoing aspects of Highway 35 create serious environmental concerns. The recent gasoline spill from a tanker truck turnover caused prolonged evacuation by homeowners and serious pollution of one of Montana's greatest natural assets. This has happened before. For environmental reasons alone, dangerous goods trucks that are not servicing local residences or businesses along the East Shore of Flathead Lake should be prohibited.

More generally, for safety reasons, trucks with pup-trucks or trailers should be prohibited. Many entry and exits to properties along Highway 35 from a safety standpoint were not designed for a road heavily used by large trucks.

Highway 93 along the west shore of Flathead Lake has been designed to accommodate large trucks. Trucks with pup-trucks or trailers should use US Highway 93.

This issue has been of long-standing concern. For environmental and safety reasons we urge you to take action before further accidents result irreversible damage to our precious environment and to individuals

Sincerely,

A large black rectangular redaction box covering the signature and any handwritten notes or dates that might have been present.



STACK

June 30, 2008

Dwane Kailey

District Administrator, MDT

P.O. Box. 7039

Missoula, Montana

59807-7039

Dwane,

I am writing you in regards to the Highway 35. I am half owner of a home on this highway (property located 1/4 mile north [REDACTED])

My comments are:

- I would like to see all large trucks not use the road.
- If that is not possible, at least all of the trucks carrying hazard loads. The lake is far too important resource to loss to an accident where the water and people are put at risk just to save some time and fuel.
- I know that the Highway Patrol resources are limited, but start weighing and giving tickets to the truck drivers. Once they know that the MDT is serious, the west side road will start looking better.
- A few years ago I had a conversation with Jim Weaver about a guard rail above our place, but at the time he said that it could not be justified (no accidents around mile marker 10). I think that has changed with two truck accidents this year. Can a guard rail be installed or what process do I and my neighbors go through to get one? Any information on this I would appreciate.

Thank you for letting me comment on this situation.

Sincerely,

[REDACTED]





2008 JUL -3 AM 10:17

MISSOULA

# Comment form

Safety Public Meetings

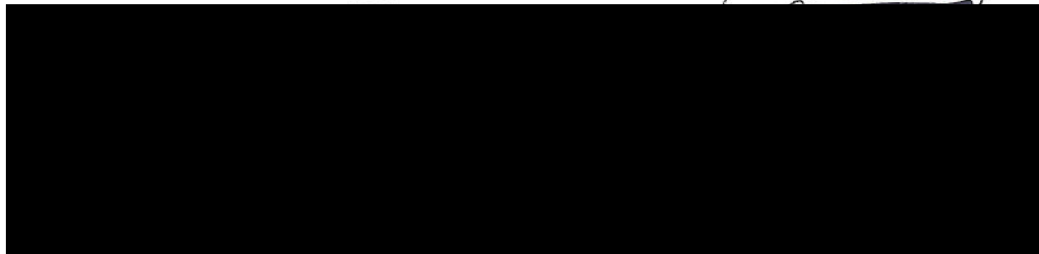
Meeting date and time: June 5, 2008; 6:30 - 9:00 pm

Location: BW Kwataqnuq Resort, Polson, MT

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039.. Comments may also be submitted by fax to (406) 494-4396 or online at

**[www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml)**.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.



Comments: Thank you for holding public meetings to gain input from residents and drivers on highway 35. Your staff did an excellent job preparing charts and running a civic discourse at the two meetings I attended. We are 23 year residents at mm [redacted]. Our children rode the bus to school every day. During the 12 years they did there were 4 incidents of near accidents and 2 accidents involving trucks. Your response was to improve school bus stop signage, create more pullouts. We parents provided bus drivers with radios to contact trucks to let them know the bus location. The bus still has stops on the road, still a danger in winter with Hwy 35's dangerous snow & ice conditions. Hwy 35 road conditions are worse in winter than 93 due to lake snow effect and more tree shade on the East Shore. Your chart showing traffic use is at best a shot in the dark. Part of the problem is that

highway use is greatly increased in summer with tourists and summer residents. All the driveways and businesses & orchards are being used heavily and this was not reflected in your "average traffic" measurement. That use has increased significantly with more houses built all along the East Shore, with more delivery & service trucks as well as residents. Therefore thru-trucks encounter more traffic.

I understand the concept of saving time & gas and therefore the use of 35 by commercial truckers. But frankly as a business person I also know a fuel spill, or <sup>chemical</sup> spill in Flathead Lake would be economically as well as environmentally devastating. At this time we must have delivery trucks supply propane, gas, materials along Hwy 35 because there aren't other options. All thru-trucks, and all trucks with pups should be restricted to Hwy 93.



**Flathead Job Service**  
417 First Avenue East  
Kalispell, MT

## Fax Transmittal Form

To *Duane Kailey* From [REDACTED]  
*Missoula Administrator of*  
*MT Dept of Transp.*  
Fax Number: *406-494-4396*  
☒ Urgent Date sent: *7/7/08*  
☒ For Review Number of pages including cover page:  
☐ Please Comment *6 Pages*  
☐ Please Reply  
Message: *against restriction on*  
*35 East Shore of*  
*Flathead Lake*  
*Thank You*



Office: (406) 758-6200  
Fax: (406) 758-6290

**CONFIDENTIALITY:** "The pages comprising this facsimile transmission contain certain confidential information from the Flathead Job Service. This information is intended solely for use of the individual named as recipient hereof. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this transmission is prohibited. If you receive this transmission in error, please notify us by telephone immediately so we may arrange to retrieve the transmission at no cost to you."

Montana Department of Transportation



# Comment form

Safety Public Meetings

Meeting date and time: June 4, 2008; 6:30 - 9:00 pm

Location: BW White Oak Grand Hotel, Kalispell, MT

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Dwane Kailey, Missoula District Administrator, MDT Missoula district office, at PO Box 7039, Missoula, MT 59807-7039. Comments may also be submitted by fax to (406) 494-4396 or online at [www.mdt.mt.gov/mdt/comment\\_form.shtml](http://www.mdt.mt.gov/mdt/comment_form.shtml).

Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

[Redacted Name and Address Section]

(1)  
Comments: The State of Mt need all money collect  
on Road Tax (IF THE USE) For collect money  
to Repair roads. struction in the State of  
MT.

(2) Blasting fuel cost and No maistance on 35  
East Lake shore. As Bad Tree Limps and  
narrow exit of Homes & Business on  
the road

(3) State of Mt. need to keep current  
Restriuct on 35 East shore alone



Montana Department of Transportation



# Comment form

Safety Public Meetings

Meeting date and time: June 4, 2008; 6:30 - 9:00 pm

Location: BW White Oak Grand Hotel, Kallispell, MT

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Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.



Comments: (4) No deal between Petro and  
Chemical hauler on more Restrict on  
35 East shore Road. No deal between  
State and Fed. Dot in Helena Mt. This  
is a bad deal for owner & Fleet because  
of diesel price will be \$7.25 per gal.  
by March 15, 09.

(5) There are 9,000 of driver & Fleet driver  
out of work because of Blistering fuel  
cost to operator a company in the  
State of Mt.

Montana Department of Transportation



# Comment form

Safety Public Meetings

Meeting date and time: June 4, 2008; 6:30 - 9:00 pm

Location: BW White Oak Grand Hotel, Kalispell, MT

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Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.

[Redacted area]

Comments: (6) With Less (IFIA) Taxes on  
diesel fuel coming into the State of MT  
for Road Repairs The State of MT need  
to work with the Transportation Industry  
on all Front for Safety & comfort  
for the trucking Industry

(7) I paid more (IFIA) taxes to deliver  
good service to Flathead Valley by  
using 93 west Shore Road. The 93  
west Shore road need to be repair  
in some spot. The intersection of 93  
& 82 need to be better mark with  
sign for better Safety & comfort  
zone



Montana Department of Transportation



# Comment form

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Please indicate your name, address and affiliation (if any) below. Thank you for your interest in and comments about this project. Please use the back and/or additional sheets of paper if necessary.



Comments: (8) As a Veteran Truck driver (owner operator) of 40 yrs. I will plan to stay in business and provide good a services to be Safety in all aspect on the Road of this States and other States.

(9) The proposed more restriction on 35 East shore will be a burden on the Trucking Industry